

HD



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/868,176	09/04/2001	Nigel Knight	72167.000310	6974
21967 7590 04/16/2007 HUNTON & WILLIAMS LLP INTELLECTUAL PROPERTY DEPARTMENT 1900 K STREET, N.W. SUITE 1200 WASHINGTON, DC 20006-1109			EXAMINER GRAHAM, CLEMENT B	
			ART UNIT	PAPER NUMBER
			3692	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/16/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/868,176	<b>Applicant(s)</b> KNIGHT ET AL.	
	<b>Examiner</b> Clement B. Graham	<b>Art Unit</b> 3692	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1-40 remained pending.

#### Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-40, are rejected under 35 U.S.C. 102(e) as being anticipated by Kolling et al (Hereinafter Kolling U.S 5, 920, 847).

As per claim 1, Kolling discloses a method of processing payment transactions by a financial institution having a plurality of branches, each payment transaction having a destination bank and each payment transaction being capable of being forwarded through a plurality of clearing systems, the method comprising the steps of transmitting the payment transactions from the plurality of branches to a central location within the financial institution; determining, for each payment transaction, an appropriate clearing system which to forward the payment transaction; and forwarding each payment transaction to the determined appropriate clearing system. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 2, Kolling discloses further comprising the step of designating a preferred clearing system for one of the payment transactions, and wherein the step of determining the appropriate clearing system considers the preferred clearing system. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 3, Kolling discloses further comprising the step of determining if the preferred clearing system is available for use. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 4, Kolling discloses further comprising the step of determining if the preferred clearing system is on holiday. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 5, Kolling discloses further comprising the step of determining if a cutoff time for using the preferred clearing system has passed. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 6, Kolling discloses, wherein the plurality of clearing systems include Real Time Gross Settlement (RTGS) clearing systems, and Multi Lateral Net Settlement (MLNS) clearing systems, and wherein the RTGS clearing systems can further use a Trans-European Automated Real-Time Gross settlement Express Transfer (TARGET) clearing system. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 7, Kolling discloses wherein the step of determining the appropriate clearing system further comprises the step of determining if the step of forwarding the payment transaction would exceed a predetermined limit. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 8, Kolling discloses wherein the predetermined limit is with set respect to the destination bank. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 9, Kolling discloses wherein the predetermined limit is set with respect to a proposed clearing system being considered for the appropriate clearing system. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 10, Kolling discloses a method of processing a payment transaction, the payment transaction having a destination bank and the payment transaction being capable of being forwarded through a plurality of clearing systems, the method comprising the steps of. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67) (a) identifying candidate clearing systems which could be used to forward the payment transaction to the destination bank;  
(b) verifying that a first candidate clearing system is available for use;

(c) verifying that a processing of the payment transaction does not exceed a predetermined value limit; and (d) forwarding the payment transaction to the first candidate clearing system. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 11, Kolling discloses further comprising the steps of sequentially repeating steps (b) and (c) for other candidate clearing systems until one of the other candidate clearing systems satisfies the verification steps of (b) and (c); and forwarding the payment transaction to the one other candidate clearing system. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 12, Kolling discloses further comprising the step of manually routing the payment transaction if none of the candidate clearing systems satisfy the verification of either steps (b) or (c). (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 13, Kolling discloses further comprising the step of prioritizing the candidate clearing systems. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 14, Kolling discloses wherein the step of prioritizing further comprises the step of giving higher priority to a candidate clearing system identified by a customer as a preferred clearing system. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 15, Kolling discloses further comprising the step of determining if the destination bank is a member of more than one clearing system. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 16, Kolling discloses wherein the destination bank is a member of only the first candidate clearing system, the method further comprising the step of manually routing the payment transaction if the verification of either steps (b) or (c) fail. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 17, Kolling discloses wherein the TransEuropean Automated Real Time Gross settlement Express Transfer (TARGET) is designated as a desired clearing system, the method further comprising the step of eliminating candidate clearing systems which are not Real Time Gross Settlement (RTGS) clearing systems. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 18, Kolling discloses wherein the verification of step (b) further comprises the step of determining if the candidate clearing system is operational. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 19, Kolling discloses wherein the verification of step (b) further comprises the step of determining if the candidate clearing system is on holiday. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 20, Kolling discloses wherein the verification of step (b) further comprises the step of determining if a cutoff time for using the candidate clearing system has passed. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 21, Kolling discloses wherein the predetermined value limit is set with respect to the destination bank. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 22, Kolling discloses wherein the predetermined value limit is a limit of debits accepted by the destination bank. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 23, Kolling discloses wherein the predetermined value limit is set with respect to the first candidate clearing system. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 24, Kolling discloses wherein the a predetermined value limit is a limit of debits accepted by the first candidate clearing system. (see column 10 lines 11-67 and column 11-12 lines 1-65 and column 18 lines 58-67 and column 19-35 lines 1-67).

As per claim 25, Kolling discloses a method of processing payment transactions by a financial institution having a plurality of branches, each payment transaction having a destination bank and each payment transaction being capable of being forwarded through a plurality of clearing systems, the method comprising the steps of;

transmitting the payment transactions from the plurality of branches to a central location within the financial institution. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67) for each payment transaction, determine an appropriate clearing system which to forward the payment transaction by:

- (a) identifying, for each payment transaction, candidate clearing systems which could be used to forward the payment transaction to the destination bank,
- (b) verifying that a first candidate clearing system is available for use, and
- (c) verifying that a processing of the payment transaction does not exceed a predetermined value limit. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67) and forwarding each payment transaction to the determined appropriate clearing system. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 26, Kolling discloses a system for processing payment transactions by a financial institution the system comprising;

a plurality of branches of the financial institution at least one branch generating payment transactions, each payment transaction having a destination bank and each payment transaction being capable of being forwarded through a plurality of clearing systems (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67) a central location within the financial institution the at least one branch transmitting the payment transactions to the central location; and a payment router within the central location the payment router determining, is for each payment transaction, an appropriate clearing system to-which each payment transaction should be forwarded, and the payment router forwarding each payment transaction to the determined appropriate clearing system. (note abstract and see column

9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 27, Kolling discloses wherein the plurality of clearing systems include Real Time Gross Settlement (RTGS) clearing systems, and Multi-lateral Net Settlement (MLNS) clearing systems, and wherein the RTGS clearing systems can further use a Trans-European Automated Real-Time Gross settlement Express Transfer (TARGET) clearing system. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 28, Kolling discloses further comprising a flow control module coupled to the payment router wherein the flow control module determines if the forwarding of the payment transaction by the payment router would exceed a predetermined limit. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 29, Kolling discloses wherein the predetermined limit is set with respect to the destination bank. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 30, Kolling discloses wherein the predetermined value limit is a limit of debits accepted by the destination bank. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 31, Kolling discloses wherein the predetermined limit is set with respect to a proposed clearing system. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 32, Kolling discloses wherein the predetermined value is a limit of debits accepted by the proposed clearing system. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 33, Kolling discloses wherein the payment router determines if the destination bank is a member of more than one clearing system. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).



As per claim 34, Kolling discloses wherein the payment router identifies candidate clearing systems which could be used to forward the payment transaction to the destination bank and wherein the payment router verifies that a first candidate clearing system is available for use. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 35, Kolling discloses wherein the payment router (170, 250) determines if the candidate clearing system is on holiday. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 36, Kolling discloses wherein the payment router determines if a cutoff time for using the candidate clearing system has passed. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 37, Kolling discloses wherein if the first candidate clearing system is not available for use, the payment router further verifying at least one of the other candidate clearing systems is available for use. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 38, Kolling discloses wherein the payment router manually routes the payment transaction if one of the candidate clearing systems are available for use. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 39, Kolling discloses wherein the payment router priorities the candidate clearing systems. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

As per claim 40, Kolling discloses wherein the payment router gives higher priority to a candidate clearing system identified by a customer as a preferred clearing system. (note abstract and see column 9 lines 23-38 and column 31 lines 11-53 and column 40 lines 39-67 and column 41 lines 1-67).

**Conclusion**

**RESPONSE TO ARGUMENTS**


4. Applicant's arguments filed 1/4/2007 has been fully considered but they are moot in view of new grounds of rejections.
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 571-272-6795. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571-272-6777. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-0040 for regular communications and 703-305-0040 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CG

March 23, 2007

  
FRANTZY POINVIL  
PRIMARY EXAMINER  
Au 3692